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PREFACE

The political rights of citizens, especially the right to participate in different forms of democratic government as much as citizens' obligations towards the state and the society as a whole, are long-debated issues in India as they are in Europe. But what is the political role of the Indian citizen today? What are her/his options, commitments and obligations within the Indian civil society and its public sphere? What, actually, is the difference between the civil society and the public sphere? What implications does the manner in which persons make use of their democratic citizenship (whether actively or passively) hold for the state and/or individuals? Who is able to participate actively and who is denied access to democratic rights? What impact does civil society have on the Indian state today? And what is the impact of and for India's composite culture? Does the character of a nation's civil society depend on the nature of its multi-cultural society? And if there is a predominant culture, in which way does this predominance affect its responsibilities within civil society?

We could continue asking questions of this kind: none of them is new and probably all of them have been discussed on different levels both in India and abroad. Given the vital political importance of this issue, this ongoing debate needs to be constantly renewed with fresh inputs. Discussions in different groups and places need to be linked with each other and core perceptions tested against outside views in order to engender fresh perspectives. It was with this approach in mind, that the

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German Konrad Adenauer Foundation developed and launched a series of workshops under a programme called 'Dialogue on Values'. The essays in this volume emanated from one of these workshops, although the opinions and judgements expressed in them are those of the individual authors and not of the Konrad Adenauer Foundation or of any Indian organisation.

The essays in this volume emanate from a workshop held at the Gajner Palace in Bikaner between 7 and 10 November 2001. The opinions and judgements expressed there are those of the individual authors and not of the Konrad Adenauer Foundation or of any Indian organisation. Rather than reiterate their own positions, the participants of this seminar were more interested in finding new ground for dialogue by negotiating different points of view. The papers they presented were therefore geared towards promoting and carrying forward the spirit of dialogue rather than ending it with a final statement.

The discussions on civil society and citizenship in the Indian context are probably different from the kind of debates going on in Europe. But there are also similarities, and an exchange of this kind is bound to enlarge mutual understanding. One of the most important questions raised during the seminar was: What does it mean to be an Indian today? When Ernest Renan, the famous French philosopher of nationalism, was asked a similar question with regard to his country, he offered the following view: All citizens should, as far as their past is concerned, be aware of a shared heritage that is praiseworthy as well as reprehensible, but that they should have some kind of common vision for the future. This may be outdated nineteenth-century idealism, but it seemed as if it was this view that the participants in Bikaner tried to explore and fill out in the context of present-day India.

It was not just the pleasant atmosphere of the Gajner Palace that ensured the success of this endeavour. A number of people provided inputs, both when the workshop was being developed and when it was implemented, as well as towards the publication of its output, and it will be impossible to name them all. But first and foremost, we are grateful to those who not only presented a paper and participated in the discussions, but also

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took the trouble to revise their paper in the light of these discussions. Their effort is reflected in this book. The credit for this must be given to Professor Rajeev Bhargava, who patiently considered many and often contradictory suggestions and gently provoked participants to rethink their ideas. That he could unerringly identify the right person for each topic in the seminar went a long way in enriching its outcome.

For organising the event and handling of all the pre- and post-workshop paperwork, we thank Manu and Mohita. And, last but not least, our thanks are due to Sage Publications, for bringing out this volume. Without the assistance, energies and goodwill of all those involved in this project, this book would not have been possible.

New Delhi **Helmut Reifeld**
May 2003

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INTRODUCTION

Rajeev Bhargava

In the past two or three decades, the coarse, unimaginative and increasingly troublesome conceptual division between state and society has been replaced in academic discourse by a more nuanced set of distinctions. First, the state is distinguished more carefully now from a particular arena of 'society' referred to by the term 'civil society'. Second, the term 'public sphere' forces us to explore and, if possible, to demarcate the private and public segments of society. Finally, the distinction between civil and political society compels us to notice dimensions of society that are public and political but not directly part of the state. All these subtle distinctions also make an important difference to the way we understand ideas of nationhood and citizenship. Yet, any claim in support of these concepts cannot be simply assumed. We must continually ask what analytical purchase these concepts and distinctions possess. How did they evolve in European societies? Does our society follow the same trajectory? How valuable are they outside the context in which they originated? In particular, what is their usefulness in India? Do they really help us to understand our life-world? Do they illuminate our social and political reality? Or, by forcing upon us a way of looking at ourselves that is fundamentally different from the manner in which we do or should view ourselves, do they instead obstruct a proper understanding of it? Do they have a normative significance and, if they do, what is it? Questions such as these are central to the papers that have been put together in this volume.

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I

I begin by clarifying two terms critical to our discussion, civil society and state. Every society takes decisions about its own affairs and determines the course of its general direction. In some societies, these decisions are taken by an independent public authority that has monopoly over institutionalised force. This particular form of public power, I refer to as the state. By civil society, I mean an arena of society constituted outside this public power, a region of society where people have come together and formed associations outside the purview of the state. To be sure, civil society and state do not exhaust all institutions in a society. For example, people are born into a family or may involuntarily find themselves in institutions such as castes or traditional guilds. These social institutions are outside the state but do not form part of civil society. So civil society consists of more or less voluntary associations outside the state. But is it a feature of such associations that individuals can join or leave them at will? Is the continued existence of such associations entirely dependent on the choice of individuals? If the answer to these questions is in the affirmative, then civil society may essentially be an arena of self-regulating *voluntary* associations.[1]

With these terms clarified, we can introduce the third term crucial to our discussion: the public sphere.[2] By 'public sphere' I mean a common space, in principle accessible to all, which

[1] But we may answer these questions differently and arrive at alternative conceptions of civil society. I will set aside this issue and for present purpose call this the mainstream conception of civil society. The literature on civil society is enormous. I do not claim to have surveyed it fully. However, see J. Cohen and A. Arato, *Civil Society and Political Theory* (Cambridge, Mass., 1992); Charles Taylor, 'Invoking Civil Society', in *Philosophical Arguments* (Cambridge, Mass., 1995); Sudipta Kaviraj and Sunil Khilnani (eds), *Civil Society: History and Possibilities*, Cambridge University Press (Cambridge, UK, 2001); Neera Chandhoke, *The Conceits of Civil Society* (New Delhi, 2003).

[2] For a discussion of public sphere, see C. Taylor, 'Liberal Politics and the Public Sphere' in *Philosophical Arguments* (Cambridge, Mass., 1997), pp. 257–58 and J. Habermas, *The Structural Transformation of the Public Sphere* (Cambridge, UK, 1992).

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anyone may enter with views on the common good realised wholly or partially: a *maidan*, a coffee house, an exhibition hall, the *paan* shop on the road side, the sweet shop in the locality as also the discursive and representational space available in newspapers, magazines, journals, radio, television and now the internet. These spaces may involve face-to-face interaction, but are generally what Charles Taylor calls meta-topical, i.e., larger spaces of non-assembly that link together several distant sites. Consider as an example the discussion of an issue that begins in print, is picked up by the visual media, then is brought to the internet and then returns once again to where it all started. This space where the whole debate has occurred, viewed or read by people dispersed over a large geographical area with indeterminate boundaries is meta-topical in Taylor's sense. These intercommunicating media help form a common mind and to forge new solidarities. The 'we' formed in this manner is a new form of collective agency whose distinguishing feature is that it is constituted not only outside politics but also—as the example mentioned shows—outside sacred time. Taylor calls it a radically secular meta-topical agency. The modern public sphere, for Taylor, is formed and inhabited by this form of agency.

By matters of common concern, I mean this: Persons may bring into the public domain only those issues which potentially concern everybody. There is all the difference in the world between articulating a wrong done to me and a wrong that affects all of us, one that symptomises a wider social malaise. I may have a complaint against the plumber in my own local housing society but unless a case can be made that plumbers in similar situations are generally prone to behave inefficiently, I cannot bring the issue into the wider public domain. However, when the water in my tap dries up because of a corrupt or indifferent municipal body then I may appropriately shoot off a letter to the newspaper editor. Quite clearly, the public sphere is depersonalised and has a strong dimension of impartiality to it.

The public sphere may be seen to be part of civil society or as outside it. When it is seen a part of it, then we conceive civil society broadly. It follows that if the public sphere is believed to be outside civil society, then we are working with a narrow

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conception of civil society. What differentiates the public sphere from a narrowly conceived civil society and the state? We read above that civil society is an arena of *purely* private associations. Such associations are not accessible to everyone nor do they directly concern everybody. Membership in an association of artists is not open to industrialists, nor are artists obliged to discuss the import-export policy of the government. So, in civil society people come together for restricted, personal ends. A public sphere on the other hand consist of inter-communicating spaces available in principle to everybody and into which people may bring issues that concern everyone. If this feature distinguishes the public sphere from civil society, it also demarcates it from the state, since those who participate in the public sphere do not directly exercise political power. They do not command the official apparatus of the state. However, because they seek to influence decision-making processes of the state, they maintain a permanent relation with it. For voluntary associations in civil society, an engagement with the state is only a last resort. The raison d'être of the public sphere, however, is to exert influence on state policy. The public sphere is outside the institutions of the state but directly concerned with what occurs there. Public opinion formed in the public sphere is meant to roll back into the thinking and activity of voluntary associations and to roll forward onto state institutions.

What makes this sphere public? It is public first because it is accessible to all. Second, because people enter here with views on matters that affect the whole body of citizens, and not themselves alone. However, a public sphere construed thus has not realised its full potential. This is only a *partially realised* public sphere; primarily because people in it are indifferent to the process by which the common good is formulated. A common mind about the common good is not arrived at through discussion, dialogue and public deliberation but is simply presumed to exist. Take the example of opinion polls conducted by national dailies. In these, a question on an issue of common concern is formulated for the public, placed in the newspaper or on the net, and those interested are asked to give

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their answers. These answers are then aggregated and a view that emerges from it is widely circulated and perceived as public opinion. However, there are two ways in which such public opinion falls short of the ideal of public opinion to be found in a *fully realised* public sphere. First, neither the topic nor the question leading from it is chosen by the public. Since the very framing of the question affects how individuals respond to it, this affects its status as *public* opinion. More importantly, such opinion is generated without discursive interaction among people. This public opinion is not a result of public deliberation. In a fully realised public sphere, a common mind on the common good is actively generated in publicly accessible sites *through discussion and dialogue*. The very process by which a common formulation of an issue is achieved and an agreement over it is possibly reached is shared by participants; the process is itself public. So here, persons with their own distinctive and separate conceptions of the common good, derived from their respective backgrounds and comprehensive worldviews, enter a common space and through dialogue and deliberation generate a new viewpoint which they can call their own.

The difference between the two public spheres can be formulated in another way. In the partially realised public sphere, a conception of the common good is fully formed within separate, relatively insulated spheres, say in voluntary but closed associations, and simply *presented* in a common space accessible to everybody. It is not formulated and elaborated together in common. As distinct from this, a fully realised public sphere is one where a new formulation of the common good emerges, one that could not have been available to anyone in his or her own private space or voluntary association.

Equally important to note is that the modern, liberal public sphere is different from ancient public spaces. Ancient publics were supremely political in the sense that its members not only discussed and debated issues of shared significance but also wielded power. In early modern public spheres, people held discussions with one another in order to influence power, and not to exercise it. As Charles Taylor points out, the liberal public sphere is extra-political, outside the arena of politics, narrowly defined.

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This is why it is a public sphere constituted by *private* people. So the liberal public sphere is different from and outside the state but it is also distinct from civil society defined narrowly. One might say that it is a version of what we have come to call political society, a particular version conceived by liberals.

Let me explain how I perceive the difference between civil and political society. Civil society is an arena in which individuals enter in order to articulate their purely private concerns and to influence one another. When the same individuals enter the public domain to express or to communicate not their purely private concerns but rather matters of shared importance,[3] and further when they do so in order to influence or make demands on the state, then we enter a different conceptual and agency space. This space might be called political society.

My understanding of civil society is influenced by Hegel. For him, civil society is both non-political and non-public. Everything else that is public and political is part of what he calls the state. In short, anything that is public and political is also official. For proponents of the notion of political society, to do so is a mistake. Under conditions of modernity, a new public and political space has opened up between the state and civil society conceived narrowly. The term 'political society' refers to this space. The best way to understand Habermas' notion of the public sphere, it seems to me, is to see it as one particular form assumed by political society.

What makes the modern public sphere a particular version of political society? It would be useful to return to our analysis of the term 'political society'. Political society is a *society* because it is outside the domain of power located in formal, official institutions of decision-making. But it is *political* because the objective of institutions and persons acting within this space is to influence official institutions, supervise their functions or keep a check on their activities, particularly when they overstep limits imposed by Constitutional law or conventions endorsed

[3] This sharing may not always involve all citizens but be restricted to a particular section thereof. For example, it may pertain to a particular caste or regional group.

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by society.[4] To be sure, the power of these institutions can be limited in many ways: (*a*) by what is believed to be divine law, (*b*) by a regime of constitutionally sanctioned rights, and (*c*) by a political arrangement in which every institution, apart from performing its own specific function, also functions to check the powers of other institutions. Notice, however, that though political institutions are constrained in each of the three orders, none contains features of what we have called political society. A social formation with a political society is one where the power of official, formal political institutions can also be restrained or more positively, even shaped by the public action of an active citizenry. This shaping may take the form of merely bending state power to cater to the basic needs of a more or less passive citizenry. It may just be a public arena where citizens transact with the state to extract some benefits. Such public action takes many forms. It may manifest itself as *direct* action that is peaceful or violent, lawful or illegal, in conformity or not with liberal conventions such as individual rights. It may be mediated by deliberation that may or may not meet standards of critical rationality. In short, a rational-critical debate among the elites, on television or in newspapers, is as much part of political society as is hollering or even angrily demonstration on the streets. A political society is replete, therefore, with several different possibilities. When official institutions of the state are compelled to respond to the needs and requirements of citizens crystallised in their own public opinion and formed by rational-critical debate, then we have something akin to Habermas' liberal public sphere. Plainly then, the liberal public sphere is a form of, but is not identical to, political society. Some forms of political society may be illiberal but their non-liberal character cannot be turned into their defining feature. It is just as possible to have a liberal political society as it is to have a non-liberal one.

[4] For a different, but in my view not an entirely unrelated, understanding of political society, see Partha Chatterjee, 'On Civil and Political Society in Post-Colonial Democracies', in Sudipta Kaviraj and Sunil Khilnani (eds), *Civil Society: History and Possibilities* (Cambridge, UK, 2001), pp. 165–78.

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II

The discussion above makes it clear that 'public sphere' is at once a descriptive/analytical and a normative category. Indeed, this is how Habermas, who first theorised a new category of the public that emerged in eighteenth-century Europe, used the term. For him, the public sphere, in its first analytical connotation, is an arena of private persons. It is private in at least two senses. First, because it is inhabited by propertied individuals. This makes it bourgeois. It is private also in the sense that these persons see themselves realising their conception of the good life primarily outside the public domain. They turn public because they recognise that though goods central to their life are to be enjoyed privately, they can only be protected by a vibrant public sphere. These are rights-bearing persons who understand that there is a public dimension to individual rights. Thus, the public sphere theorised by Habermas is not only bourgeois but liberal. Yet, in the last instance, it is reduced to neither, because implicit in it is something of great normative potential. It contains formative elements of a common space where free and equal individuals meet to discuss and debate issues of common concern, arriving thereby at a normatively binding public opinion. This common opinion has normative force because before reaching its own decisions, the state, the primary locus of power in society, is morally bound to take it into account.

For Habermas, the emergence of this quasi-political public sphere presupposes the presence of a complex set of social conditions. First, as Hegel noted already, the birth of a separate domain of economy where commodities are produced and exchanged outside the confines of the household. With the dismantling of the household economy, the conjugal family is freed from relations of production. Moreover, once individuals are freed from their over-dependence on economic activity, they can see themselves in non-economic terms, as humans capable of entering into relations with other humans. Only such conditions allow the conception and formulation of the Kantian maxim: treat humanity both in yourself and in the other never only as a means but always also as an end. These conditions also

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allow for the deepening of interiority, subjectivity and what Charles Taylor calls inwardness, all of which develop with a small group of intimate others, first within the family and later, as the individual steps out of his own living room into the salon, in relation to a close group of friends. The literary public sphere is born in and around the salon and the café and provides space for authors and readers to develop intimacy and acquire a deeper knowledge of the self. Over a period of time, the literature of self, intimacy and inwardness is subjected to critical, rational scrutiny. This leads to further self-clarification, a sharper sense of individuality and to the cultivation of humanity.

Habermas also makes the startling observation that the critical institution that makes individual autonomy possible and prevents the dissolution of individuality is the family. This claim is astonishing because the autonomous individual is frequently seen to be only oppositionally related to the family. But for Habermas, without the care and emotional stability provided by the family the individual fails to develop the capacity for autonomy. So the family is both a condition of the possibility of development of the modern autonomous individual and, once the capacity for autonomy is realised, its eventual victim. The autonomous individual is also the principal cause of its dissolution. In a manner of speaking, Habermas reinterprets the Oedipal myth: in order to maximally assert his identity, the son must, in a manner of speaking, kill his father (and by extension his mother too!). The disciplinary structure of the family that imposes constraints and regulates freedom also nurtures within it the normative ideal of freedom from domination. This picture appears to capture the story of individuation and freedom in the West. But is the story replicated in non-western societies such as India? Plainly not. If so, then we are drawn towards two different conclusions. One, that the particular set of relations in India between the family and the individual is not conducive to the development of the modern autonomous individual. Alternatively, the trajectory of the formation of autonomous individuals is different in India.

Though a close resemblance exists between unrestrained communication within the family and the literary public sphere and

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rational critical debate in the liberal public sphere, there are also important differences. First, the objective or at least the unintended consequence of free communication within the family and the literary public sphere is self-clarification. The liberal public sphere is guided by a different though related aim: the clarification of social needs and public purposes. Second, whereas entry into the family and the literary public sphere is restricted, the liberal public sphere is, in principle, open to all citizens. In this arena, all individuals are treated as free and equal, their status is altogether disregarded and they are seen to come together to form a common mind on issues of common concern. What matters here is the merit of the argument, not the identities of those who argue. The formation of such a public sphere marks the birth of the active citizen, who is not merely a subject of the state but a participant in its decision-making processes.

The liberal bourgeois public sphere was realised in some countries of Europe only for a brief period, according to Habermas. He argued that the more inclusive the public sphere became, the more it degenerated when assessed by standards of rational criticality. Decisions now began to be reached more by negotiations and deals, even by manipulation and threats, rather than by a rational critical consensus. The arbitrating power of reason was considerably diminished under these conditions. This degeneration occurred partly because the myth of common good was shattered. What was once thought to be the general good was now revealed to be nothing but a particular good masquerading as the good of all. With this realisation, the public sphere was reduced to an arena of competing private goods. The degeneration was also brought about because negotiations established new hierarchies. This was bound to happen because the negotiating parties were of unequal strength. While the ideal public sphere presupposes that power will be bracketed out of the common arena in order to make possible an interaction based on freedom and equality, the actually existing public domain reinforced and invented new inequalities. In such a situation, new technologies of manufacturing consent consistent with the myth of freedom and equality were invented. Finally, the public

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sphere degenerated also because the active citizen mutated into a mass consumer. The public domain was now used by a small elite for the advertisement of goods, ideas, and self-images with the sole purpose of transforming the masses into consumers. In short, for Habermas, the really existing public sphere was a pale shadow of its early nineteenth-century counterpart and regrettably had no resemblance to its own normative ideal.

Habermas' account has been subjected to detailed criticism.[5] It has been argued that one of the central flaws of his theory is that it treats the 'classical' bourgeois public sphere and the public sphere of late capitalism asymmetrically. The account of the classical public sphere is drawn from the writings of the great philosophers but the account of the twentieth-century public sphere follows the typical suburban television viewer.[6] This explains why Habermas overestimates the degeneration of the public sphere. Second, his discussion of the public sphere relies on an extremely thin idea of culture and identity. This explains not only a remarkable absence of nationalism from his conception of the public sphere but also his neglect of religion.[7] A third criticism relates to Habermas' excessive focus on debate and discussion around ideas, making them central to his conception. However, democratic politics and public discourse rarely conform to norms of rational debate. The public sphere is usually dominated by social movements that foreground issues with a mix of rhetoric, emotion and direct action. Habermas' idea of the public sphere is therefore too restrictive. Finally, Habermas' conception is found too flat and unitary and is unable to accommodate multiple, overlapping and contending conceptions of public spaces.[8] There are many publics and counter-publics and, therefore, different kinds of public spheres to which Habermas' account appears to be insufficiently sensitive.

[5] See for e.g. Craig Calhoun (ed.), *Habermas and the Public Sphere* (Cambridge and London, 1992).
[6] Ibid., Introduction, p. 33.
[7] Ibid., pp. 34–35.
[8] Ibid., p. 37.

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Let me sum up. There are two fundamentally different way of understanding the relationship between state and civil society, depending upon how civil society is itself conceived. If civil society is construed broadly to include political society and public sphere, then we possess a political conception of civil society linked to active citizenship. If it is construed narrowly as focusing only on relations between individuals primarily in their private capacity, then the term 'civil society' refers to a largely non-political sphere and a separate concept is required to capture a distinctively political domain outside formal state institutions. The contributors in this volume do not agree on how these concepts—civil society, political society and public sphere—are to be used, nor on how distinctions between them is to be drawn but, I believe, they are all propelled by the same historical, theoretical and moral concerns.

In her paper, Frevert analyses the conceptual content of civil society and traces the historical evolution of the concept from its narrow non-political to its broad proto-political sense. She explains why in recent times there is a renewal of interest in this concept and outlines the principal challenges currently faced by it. For Frevert, civil society today embodies a political vision that has begun to ensnare even neo-liberals as a means to empower the individual as well as to rekindle social cohesiveness. But the idea of civil society did not start as 'proto-political' and 'quasi-communitarian'. To begin with, civil society referred to urban groupings based on principles of voluntary and equal membership, transparency of procedures and financial self-sufficiency. Though voluntary and outside the structures of the state, such groups were not entirely independent of it. The state always defined the conditions and limits of their operation. Over time, when these limits came to be seen as unbearable encumbrances, these associations had to become political to properly realise their ambitious objectives. This proto-political dimension was a later addition and linked the idea of civil society to the concept and value of citizenship. This was not entirely surprising because it was always related to an emancipatory project meant to free human beings from constraints rooted in traditional power structures. The link with

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citizenship endowed it with the capacity to inculcate a sense of solidarity between members of a given community. By giving a public shape to existing social space, civil society preceded and prepared the ground for the political sphere—hence the appropriateness of the term 'proto-political'.

Like Habermas, Frevert notes that civil society has undergone further transformation. The once coherent structure of rights and obligations tied to national citizenship has shown signs of disintegration. The expansion of the welfare state, the proliferation of leisure and consumer culture, and the rise in social and geographical mobility has contributed to loosening ties of citizenship. National citizenship has thus lost its capacity to endow people with a meaningful identity. Simultaneously, the rise of highly localised and short-term goals of individuals and particular communities has weakened civil society. The increasing salience of ethnicity and the claims of multiculturalism, particularly from migrant populations, are likely to further erode the norms and practices of citizenship and civil society. But Frevert warns against exaggerating these trends. She optimistically believes that if we work to strengthen common norms of public reasonableness, open-mindedness, willingness to engage in public discourse and respecting the rights of others, civil society can become inclusive and therefore strong and attractive.

Frevert's account is indirectly critical of Harbermas' account of the phenomena connoted by the terms 'civil society' and 'public sphere'. Three contributions in the volume are more directly critical. Clemens Albrecht is skeptical of the analytical value and normative significance of Habermas' ideas. His main contention is that the account of the process of evolution of public sphere offered by Habermas does not resonate with the history of West German democracy. Bereft, in a sense, of this historical rootedness, Habermas' theory of the public sphere suffers from three problems. It assumes the liberal, democratic public sphere to be an independent marker of development and the rest of political history as a history of its decline. It further assumes that the normative ethos of this public sphere is fashioned purely out of the inter-personal exchange between a certain class of people. Finally, it assumes that the development

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of public sphere can be understood independently of the variable trajectories undertaken by different countries. For instance, the media in each country imparts a certain uniqueness to the way it develops its public sphere. This eventually gives each society a specific manner of organising its political rule and the norms that undergird it. However, the evolution of these norms is always marked by a certain degree of confusion and chaos among different sets of political actors. Therefore, a judgement of political history cannot be derived from categories of political theory. Instead, Albrecht claims, it must always be the other way around. The appropriateness of political theory must be judged by a proper understanding of the political history of particular societies.

Like Albrecht, Chandhoke is critical of Habermas' notion of the public sphere. Disregarding its normative potential and Keeping her focus firmly on its descriptive dimension, Neera Chandhoke argues that the logic of power and domination is never absent from the public domain and therefore that violence is endemic in civil societies. The Habermasian public sphere signifies the anti-thesis of the use of any kind of force in the discursive field, and is therefore unlikely to offset historically handed down deprivations caused by structural unevenness in society.

She begins with the uncontroversial point that to speak a language is to inherit a world, to have a shared understanding. She then makes the point that in an unrestricted public sphere there are bound to be more than one languages embedding different understandings of the world. Incommensurability of languages and worlds are likely to hinder, however, the emergence of communicative rationality in the discursive field. Moreover, Chandhoke argues, the dominant language always lays down the standards of acceptable vocabulary in this domain. By definition, the marginalised do not participate in the construction of the 'reasonable' or of what constitutes appropriate knowledge in the public domain of deliberation. For example, the modern domain of public sphere and civil society is constituted not by any old language but by the particular language of legal and political modernity. The power relations operating

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in the public sphere between different languages deny a free and equal role to several languages. Thus one language in the public sphere has considerable epistemic authority and privilege.

There are other problems, according to Chandhoke. Power leads to the entrenchment of one system of meanings as more valid and justifiable than others. In the end, despite a formal commitment to freedom and equality, subaltern languages lose out. Institutionalised 'procedures of exclusion' in society antecedently set the terms of communication. The practices of dominant modes of negotiation, mediation and challenge are inaccessible to speakers of subaltern languages.

An interesting counterpoint to these papers that question the normative value of the public sphere is provided, at least implicitly, by Anuradha Chenoy, who discusses the impact of the breakdown of the public sphere on women. Chenoy focuses in particular on the multiple roles played by women at the time of such a breakdown. Women are the foremost direct victims of the collapse of the public sphere and the consequent eruption of violence. But, by virtue of their relation with combatants/militants and armed forces, they also suffer indirectly. Chenoy contests the view that in times of conflict women remain at the margins. For her, because of their role as life sustainers, peacemakers and agitators against atrocity, women are centre stage. In these different roles, women possess not just symbolic value but are active, though sadly unequal, participants in the common project of retrieving the public sphere. These facts are frequently ignored in mainstream writing on this subject. Chenoy notes regretfully that this does not mean that women become equal participants.

III

Postcolonial societies have always had a problematic relationship with modernity—long before post-modernism announced this to be so. If modernity is not defined in culture-neutral terms, as merely a technological-institutional complex, i.e., as a set of high technology, capitalist economy and bureaucratic state, then we

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must urgently two address two questions. The first concerns the specific cultural underpinnings of modernity. The second relates to the cultural encounter between modern and non-modern societies. Moreover, once it is accepted that modernity originated in the West but migrated elsewhere, three different possibilities still need to be confronted. First, that modernity failed to take root on its arrival because non-modern cultural systems were deeply entrenched, resilient to change and not easily displaceable. Indian classical music is a good example, as is the caste system, at least before the introduction of representative democracy and universal franchise. Second, that Western modernity quite easily found a safe niche in these societies. A number of mechanisms helped its smooth passage. For instance, a powerless people entirely lacking in self-confidence quickly lapped up anything new that came their way. There was gradual conversion by blind emulation or sheer seduction. Institutions where this happened on a large scale included the bureaucracy, the armed forces and urban centers of education. Westernisation was also adopted for purely instrumental reasons. Something akin to this process had begun as early as in the late seventeenth-century when a section of the commercial middle class were seen to be 'clad in a more stylish garb, with a head-dress of calico-coiled turban, light b(v)est, and loose trousers. They all spoke English, offered their services for small wages, and waited on the passengers to execute their business'.[9]

Finally, a third possibility exists that when Western modernity began to interact with local cultural systems, something like a hybrid culture began to emerge, possibly by creative adaptation, for which an analogue can be found neither in Western modernity nor in indigenous tradition. These new phenomena resemble Western modern and traditional entities and can be mistaken one for the other but they escape the interpretative grid and discourse relating to both. This cluster of newly developed phenomena forged out of Western modern and indigenous traditional cultural systems belong to what can

[9] B.B. Misra, quoted in Yogendra Singh, *Modernization of Indian Tradition* (Delhi, 1988), p. 89.

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be called an alternative modernity. Among the examples of alternative modernities, the functioning democracy in village *panchayats*, the supplemented nuclear families among urban professionals, and the music of Kumar Gandharva come immediately to mind.

It is obvious that an alternative modernity though radically different from indigenous traditions and mainstream Western modernity is *still* a version of modernity. If so, any discussion of an alternative modernity naturally begs the question: what is modernity? What is it that is common to all modernities? Hardly an easy question to answer but let me offer my tentative view on this matter. I doubt if a purely formal account of modernity will suffice. Any modernity, in my view, must be identified with the following substantive features:

(*a*) The acceptance of some degree of disenchantment with nature.
(*b*) A marked tendency to avoid suffering and desire material well-being.
(*c*) The adoption of different principles for the self-identification of individuals and the groups to which they belong and therefore the generation of new types of collective and individual identities whose relationship entailed some form of freedom for individuals.
(*d*) Some form of equality among individuals and groups.
(*e*) The acceptance that differences among individuals and groups are inevitable and reasonable. Points *b*, *d* and perhaps *e* together constitute the modern idea of social justice.
(*f*) The presence of some degree of reflexivity and therefore critical questioning.
(*g*) And, finally, the belief that at least to some extent social structures depend on human agency.

Together these features secrete or presuppose a certain conception of the self and how it relates to other selves and to the natural world. Together, they also generate the possibility of being compatible with a limited but wide range of institutional

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arrangements. Mainstream Western modernity provides one interpretation of this complex set of features. Other modernities must interpret and articulate them differently, and assign each of them different weights.

I believe that any given non-western social formation has responded to Western modernity in each of the three ways mentioned above. Any contemporary non-western social formation contains a layer of largely unaffected non-modern practices that have shown a remarkable resilience to change as well as a layer of thoroughly Westernised modern practices. In addition to these layers—and this is my principal contention—it contains a distinct layer of alternative modernities. It is not my claim that every important feature of non-western societies must be understood in terms of a unique modernity, one that is entirely sui generis. Rather, my point is that the habit of viewing features of our society in terms of a straightforward dichotomy of Western-modern/indigenous tradition has long obscured a significant third layer that has also existed in our societies.

This long excursus on modernity was necessitated because of an anxiety that pervades most of the contributions in the volume. If concepts of civil society and public sphere have evolved and are embedded in Western societies and cultures, what use are they in the Indian context? Do they capture anything of the specifically Indian setting or do they distort or obscure instead the understanding of our own reality? If my discussion of this issue is correct, we should formulate our questions differently. We should first ask if concepts of civil society and public sphere travelled from Europe to India but, because of the presence of other ways of conceiving society and the state, the civil and the political, the public and the private, failed to take root here. Or, is it that these concepts found easy acceptance in our context because they served an important need which existing practices and traditional resources could not fulfill? There is finally a third possibility that notions of civil society and public sphere began to interact with similar elements in local cultural systems and eventually gave rise to a new kind of society and public space that replicates neither

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anything Western nor something local and indigenous. What we have instead is an altogether new phenomenon that escapes the interpretative grids of Western modernity and traditional cultural systems. For example, have we evolved more community-sensitive conceptions of civil society that have a place for individual choice and freedom but conceive them differently?

The question concerning the relevance of concepts of civil society and public sphere must be further distinguished from the issue of the significance of a *theory* of these concepts—such as the one provided by Habermas. Why should we bother with a theory of the public sphere? It is obviously mistaken to assume that the idea of the public sphere discussed in a particular theory corresponds to any really existing public sphere. The relation between theoretical and real objects is rarely a relation of identity. How can a general idea of the public sphere built on, say, the particular and diverse experiences of Germany, England and France correspond or be identical to the particular public domain of any one of these three societies? It is a grave and absurd error to assume that a general theory of the public sphere constructed out of the particular experiences of any European country can immediately apply to Indian society given its different background and historical trajectory. If the same public spheres in Europe are different from one another, surely it is absurd to expect the Indian public sphere to closely resemble a model of the Western public sphere. If so, why should postcolonial societies even bother with these theories? Is it not infinitely better to draw upon our own experiences, to tease out the conceptual structure embedded in our practice and to then build theories grounded in these concepts and experiences? This is a temptation to which many have succumbed but which must be scrutinised critically.

There are two reasons to resist it. In the first place, the assumption that a theory emerges directly from experience is entirely erroneous. Any theory is generated as much by experience as by a tradition of theorising. Every theory must take flight beyond experience. This means learning to imagine a world different from the one we inhabit as well as to get a handle on the different routes to these possible worlds. In a way, this

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skill of imagining new worlds is built into the very process of concept formation because an element of abstraction and generalisation is built into every concept. If experiences are mediated by concepts which in part already contain generalisations, then there is a sense in which all experience is mediated by theory. If so, it would be as true to say that experience emerges from theory as to say that theory emerges from experience. Two things follow from this. First, to make a less incomplete sense of our own experience, we must learn to theorise and since, like any other skill, theorising itself is tradition-dependent, we must rely on, though not imitate, traditions of theorising and, within traditions, on particular theories of the experience or practice we hope to grasp or illuminate. Second, a theory such as Habermas' is not meant in any case to be *applied* to Indian reality. Rather, because it is a theory of a closely related phenomenon, it may provide appropriate clues towards the understanding of our own severely undertheorised experience and practice.

A second reason for not ignoring Habermas' theory is this. While the assumption that Indian society is different from European societies is plainly correct, it is wrong to infer from this that the two have nothing in common. Not even the fiercest advocate of cultural autonomy could ever claim this. Indeed, in the case of postcolonial societies, the relation with European modernity has to be close: no major practice can remain untouched by it. If this is so, it is not imprudent to begin with the assumption that along the continuum of multiple, variable cultural particulars of a more general phenomena lies something like a public sphere in India. But even this assumption is unnecessary. We may assume neither the existence of an Indian public sphere nor its non-existence. Any enquiry in postcolonial societies must begin with an open mind. Given our sustained interaction for over 300 years with European modernity, my own hunch is that something akin and related to the modern public sphere exists in India, even though it is not identical with any known particular manifestation of it. As I said, to take this view is not to close off the option that our own conception of public life is so very different from European

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societies that we may have to altogether ignore European theories of the public. But we cannot rule out that such exceptionalism is misguided. This is entirely consistent with the view that public life in India is bound to have many features not found in European societies, and is likely to embody an altogether different modernity that relates to, but is not identical with, Western modernity. The objective of this book is to make these assumptions public, to share them with fellow academics and to see if we can persuade one another to challenge or endorse them. The obvious eventual objective is to grasp the nature of modern public life in India, to understand its historical trajectories, how it functions, what purpose it serves as well as the purposes that would be ethically desirable for it to serve.

Farhat Hasan, Sudhir Chandra, Alok Rai, Neeladri Bhattacharya, Ravi Vasudevan and Javeed Alam grapple with these important issues. Their papers try to grasp the nature of public life in different periods in India and are concerned as much with its relation to Western public spheres as they are with how public space was conceived before the advent of colonial modernity. The evolution of the Indian public sphere also forms the focus of some of these papers.[10]

For Hasan, the rupture between the spatial and temporal disjunctions of history provides a starting point for his argument that civil society and 'public sphere' existed in pre-British India. While the spatial distinction of the East and the West have been effectively analysed and questioned, the idea of a 'modern' succeeding the medieval is still commonplace among scholars. Hasan challenges this view and analyses pre-British Muslim society in light of the category of 'publicity of representation' integral to Habermas' story of the evolution of the modern public sphere. He asserts that the category of 'publicity of representation', wherein the authority of the king was paraded amidst people to create a sense of awe and wonder among the masses, is not exactly found in pre-British India. To illuminate

[10] On some of these issue also see, Sudipta Kaviraj, ' In Search of Civil Society', in Sudipta Kaviraj and Sunil Khilnani (eds), *Civil Society: History and Possibilities* (Cambridge, UK, 2001).

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this, an array of facts and sequences of events is presented which seeks to demonstrate that the British, far from coming across a native 'uncivilised' society, actually encountered an 'aware', pluralist and vibrant 'public' to which they were forced to react.

According to Hasan, this public sphere emerged largely in the legal-sacral site, in places of worship. Apart from the prayer meetings, this space was the site for legitimating political authority, and signified at least a limited participation of the ruled in the process of governance. Significantly, Hasan also points to the 'interpretation of ritual, oral and written media of communication' that underlines the rich presence of an aware public. The market place was yet another space where crowds gathered to listen to what the common people had to say. Thus, the public sphere extended from the mosque to the market place where literature and art were also discussed. However, though the sacral place of the mosque was open to all, Hasan cautions, it was not egalitarian in nature. Elite domination was frequently reinforced in such places. Similarly, though women were allowed in the market place, their presence was limited. Though, vibrant and plural, the public sphere was not egalitarian or all-inclusive.

The experience of colonisation generated complex, ambivalent and internally inconsistent responses among the subjects of the empire. The introduction of a new kind of economy and an English education created a new political awareness in the nineteenth century but it did not translate easily into a discourse of rights. As Sudhir Chandra argues, rights were not a matter of mere bestowal but had to be conceived and desired. While the experience of subjection brought with it a respect for self-determination and a sense of one's rights, the birth of the national resulted in the realisation of a dichotomy between the national and the imperial interest. The relationship between civil and colonial society was marked by friction and confusion in the nineteenth century. It is in this context that we must understand the emergence of the idea of citizenship and the growth of an Indian public space. In the public arena, various identities and interests interacted with each other within a structure of public activity set up by the colonial dispensation.

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In this emerging heterogeneous sphere, various regional, religous, communal, class and other sectional interests and aspirations were initially visible. Among these various groups, however, the mutually inter-dependent zamindars and middle class intelligentsia gradually became dominant. Before the formation of Indian National Congress, even the politically aware conceived India as an assemblage of many nationalities and castes. But because the success of public mobilisation was decided by the nature of people's struggle rather than the justice of their cause of the fair play of British authority, and because they were educated and articulate, the middle classes became the political leaders of the society in the emerging public sphere. Though they talked about a common and united nationality, the modern colonial public sphere was, in the last instance, far from impartial or inclusive. This, Chandra rightly argues, had profound implications for notions of citizenship. For example, 'Muslims' were eventually edged out from the dominant conception of India.

In the making and consolidation of the north-Indian public sphere, 'Hindi is integral, not merely in an arithmetic, constitutive sense but also in a more organic sense'. Apart from being a contributory factor, Hindi is also emblematic in the formation of the north-Indian public sphere. Rai argues that though this process was effective, it inhibited and deformed the emerging public sphere. Further, the evolution of the colonial public sphere is inevitably affected by how the public sphere dealt with the colonial state. This fact affected the kind of reasons contestants gave as they spoke about and past each other to a third party—the colonial state.

The notion of 'privacy' is crucial, by way of opposition, for the emergence of the Habermasian public sphere. However in India there is no word for privacy, and *nijata*, the amorphous, brassy coinage in Hindi, results in a weak opposition between private and public. The ideological demand of the national movement for the creation/invention of national symbols that could encode self-respect took the form of the official recognition of popular, democratic, 'national' Hindi. In this particular struggle for official recognition, Hindi, by heavy lexical

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borrowing from Sanskrit, was made to distance itself from Urdu. Sanskrit was our past and in the tragic present, history was read exclusively in political terms in a retrospective, distortionist mode. This reading maintained the myth of antiquity, of direct filial descent from Sanskrit without the creative and energising impact of centuries of cultural promiscuity. This process repressed the cultural memory of living together with other vernacular languages by a determined weeding out of the *tadbhav*s producing a 'language' whose sole purpose is to resonate a ritual sound instead of producing knowledge or insight. Official Hindi excluded Muslims (by distancing from Urdu) and the lower castes (by distancing from vernacular being and doing) by its association with so-called pristine, pure, classical Sanskrit. There is thus a curious symbiosis between the invented language and the nation sought to be constructed.

The evolution of modern Hindi involved considerable violence because it severed living cultural connection with plural, demotic voices, and is still continuing to do so by its attempt to displace popular Hindi. Rai argues that it was cultural politics that produced modern 'Hindi' and hence only a different cultural politics can enable us to tap the power of the vernacular and save Hindi from increasing irrelevance.

Non-western public spheres need not be explored merely by contrasting them with the western public sphere. They can also be investigated by locating them in the context of colonial modernity. In his paper, Neeladri Bhattacharya tries to do precisely this. He begins by outlining the Habermasian notion of public sphere as one where 'private people come together as public' and use a collectively formed critical opinion to question the premises of public authority and power. Conflict in the public sphere is resolved through the persuasive power of reason and by discursively forging a collective rational will. This involves the 'linear unfolding of critical reason' on the one hand and the consolidation of market and private property on the other. Bhattacharya problematises this formulation by drawing examples from practices in the Indian setting.

In the colonial period and under the influence of Benthamites ideals of law and society, ambiguity and flexibility were replaced

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by politically codified, universally known, categorically stated/enumerated rights and powers. This allowed for secure mutual expectations and thus for a rational ordering of society. The colonial period not only saw the classification of individuals into fixed juridical categories but also the legal recognition of customs. This had two simultaneous outcomes. First, the creation of a legal space of negotiation and struggle that enabled the colonized to turn against their masters. A space was created by the language of reason where an alternative politics that questioned the colonial order could flourish. Second, the constitution of a tradition that could be defended within the framework of law. The entry of tradition allowed communities to come together, overcoming their insularity and exclusivity and to reconstitute themselves as a public. Different groups and communities formed specific community publics through internal debates about appropriateness of specific versions. In other words, unlike the singular and unitary modern public sphere that gave rise to the idea of the universal man, the signs of community identities in India were publicly marked. The public sphere in India always had the stamp of multiplicity. This multiplicity was not free of friction, however. The contrary dialectic of homogenisation and segmentation in the linguistic politics of India led to creation of new language in each region through a process of exclusion and repression, creating a fractured, segmented public. In such a scenario horizons do not always fuse and consensus does not emerge. Sometimes dialogue breaks down and divisions deepen. Then, one is 'left groping for languages that could cross the boundaries of understanding'.

Bhattacharya also claims that unlike the west, the private and public are characterised in India by dissonance and opposition. He contests the views of Partha Chatterjee and argues that the public sphere in India was as much a sphere of national refashioning as the private domain. Beneath the public script of conformity was a private script of rebellion constituting an individual subjectivity that questioned and negotiated in specific ways the pressures of families and other communities. Furthermore, by transforming private lives, public law refashioned the private domain. Bhattacharya argues that the outside

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and the inside, the public and the private were inscribed with dual marks of modernity and tradition and that there were subtle variations in the particular ways in which the public and the private were shaped in different parts of India.

Ravi Vasudevan appears to endorse the point made by Bhattacharya and extends it further. By carefully examining Indian films, he argues against the view that takes the individual spectator or the individual citizen as 'the inevitable or even the ideal figure of cultural and political life'. Yet he also suggests that the emphasis on collectivity and community in a great deal of political theorizing in India tends to be inadequately historical and is too sharply counterposed to Western theories of civil society and individual interest.

For Vasudevan, cinema as an autonomous cultural institution has played an important role in the formation and shaping of civil society and public sphere. This is done in the case of films by a consensus about the limits of cinematic representation. Popular cinema was not seen by the political elite as an adequate place to nurture a culture of citizenship. Cinematic institution was perceived by it as culturally illegitimate and its popular appeal and reach was presented as a threat or at least as an impediment to the cultivation of civil society. Yet, paradoxically, the government was willing to use film as an instrument of its ideology. For Vasudevan, unlike the classical narrative structure of Hollywood, the popular film narrative in India takes recourse to a system of typage which appears to lack perceptual and psychological individuation. Characters are seen as exemplary inter-dependent figures with assigned roles within an overarching system of authority. Plots depicting such a scenario of subjugation are socially symbolic. One implication of this is to arrive at the view that the modern state is subordinate to a system of feudalised authority and is an impediment for creation of individualism and civil society. Vasudevan takes a different view and argues that specific film techniques in Indian popular cinema make it possible for individuated characterisation to be present, albeit intermittently and deceptively. Non-individuation then can also mean a desired continuity of the filmic subject with community and not simply as

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the presence of traditional and extensive patriarchal structures and its prohibitions. The popular film, Vasudevan argues, symbolises society as a hierarchical field within which senses of the self are constructed. Furthermore, once the terms are loosened, they can also be seen as sites where, rather than relay hierarchy, one plays instead with authority. The individual does not stand only for himself or herself. Through shifting terms of subjectivity, one can see them as a junction for the articulation of individual and group claims. Thus, popular film spectatorship for Vasudevan articulates a distinctive cultural and political subjectivity.

For Javeed Alam, the nature of relationship between democracy and civil society is more complex in India than in Western democracies. Because of the different historical conditions in which they arose and the vastly divergent socio-economic conditions that continue to shape them, similar institutions and their associated values are transcribed in distinctly different ways. In Europe, civil society and democracy were deeply supportive and facilitated each other. In India however it is questionable if democracy needs civil society to survive or thrive, at least in present times. In India, modernisation was induced by colonialism. The process of individuation involving the freedom of people from their earlier bonds took place without mass democratic awakenings. This process gave rise to a sense of *difference* from others and therefore a sense of distance, without a sense of break from the community one lives in and without forming a sense of the *private*, a domain outside social monitoring and regulation. In India, pre-modern communities did not dissolve. Their boundaries were merely redrawn and loosened.

Alam claims that in Western historiography and philosophical writings civil society is a special kind of society with contradictory features. Immersed in a secularised public space, made up of atomised, egoistic individual (effect of market) in conversation with one another, it is a new imagining of concerns and interests (constituting public sphere) a space accessible to all without interference of power, a world of right-bearing individuals.

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Alam argues that the core of civil society in India comprising the most modern and well-off has turned against democracy or at least turned away from the process that sustains democracy. Major segments of civil society have developed deep reservation about the manner in which the processes of democracy are working in India. The dialogical space for rational debate in the public sphere has contracted due to the participation of vulnerable sections in society who, lacking the verbal skills of critical argumentation, are noisy and unruly in the parliament. In these circumstances, Alam argues, the processes through which different social forces contend against one another and fight out their battles has become *autonomous* from the institutions and norms that are supposed to inform participation in India. Moreover, vulnerable sections and the underprivileged participate in the process with their own moral economy and cultural outlook, not a individuals but as people embedded in their communities. Democracy in India works without the backing of a very large part of civil society, without covenant or consensus, and the gulf in terms of values between the elite and the ordinary people is forever widening. The rupture between the elite and the masses extends beyond the world of meanings and communication (thwarting rather than facilitating intercommunication). Elites follow narrow self-interest, maximising their material well-being, and forcing the state to shed its welfare function. In this situation, the masses are forced to lean on their kin groups and communities, turning communities into social sanctuaries rather than social institutions. This forced dependence tends to unduly enhance the importance of communities demanding their uncritical affirmation. As a result, unwholesome features of community life gain prominence in India. Communities as collective personalities seek to maximise the well-being of the collectivity and they act with what Alam calls, 'possessive' communal orientation regulating public competitiveness and maximisation of interests. Thus, civil society has turned into a site of the struggle for self-maximisation of communities, and public sphere, as envisaged by its classical exponents, is severely undermined.

Aditya Nigam in his article argues that to understand some of the developments in a postcolonial society like India, one

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has to move beyond the traditional conceptualisation of the domain of civil society. This suggestion is already available in Partha Chatterjee's notion of political society. For Chatterjee, this realm of political society consists of 'population, the majority, who negotiate with the state, through the various mobilisational avenues provided to them by democracy.' For Nigam, this notion of political society enables one to locate the reactions of the established institutions of civil society like the media to strange events like that about the 'monkey man' or 'Ganesha drinking milk'. These reactions point to a paternalistic and instructional role of the state and civil society wherein the latter is expected to tutor the irrational mind of the 'population'. Thus, there is a basic disjunction between rights-bearing citizens and the population as a target of policy-making. The domain of political society does not obey the rules of civil society, governed as it still is by 'the imaginative power of a traditional structure of community' and to that extent, it is pitted against the search for modernity.

However, disagreeing with Chatterjee, Nigam suggests that this domain, present even during the nationalist struggle, is a space not merely *between* state and civil society but in a way lies in and constitutes the *underground*. Elaborating this idea, Nigam further states that the so-called Nehruvian consensus must be understood to be present in the realm of civil society only. It did not permeate elsewhere. Other forms of communitarian and identitarian institutions remained in the 'underground' which have now re-surfaced to rupture the face of civil society. This was more or less inevitable with the entry of mass mobilisation. He refers to the work of Carl Schmitt who was extremely sensitive to this development but then went on to endorse an unacceptable homogeneity. Nigam argues that the challenge before us is to value difference and heterogeneity in the face of a contradiction between democracy and the people. How do we prevent ourselves from falling into the temptation of arrogating for civil society an instructional role vis-à-vis the people? Nigam concludes that the terms offered by political society, though yet unworked out, would help in conceptualising

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and charting our path towards a different understanding of Western modernity than is prevalent now.

How helpful is this way of characterising political society or of drawing the distinction between political and civil society. I think Nigam's analysis and Chatterjee's on which it relies is very illuminating about India. However, one should not draw wrong theoretical conclusions from their analysis. For instance, one should not see civil society as the only domain of legal rights and political society as necessarily outside the boundaries of law or without rights. It may be true that a large part of Indian political society is neither liberal nor bourgeois but can we define political society in these terms, as non-liberal and non-bourgeois? This may not only prevent us from seeing how political society operates in other countries but also foreclose the opportunity of pushing Indian political society in a direction different from the one it has currently taken.

We must guard against turning the specific properties of a particular thing into the general property of all the things of that type. Let me explain by an example. Tigers have certain specific properties. For example, they are carnivorous, have stripes, and can run at over 100 miles per hour. It is true of course that they share many properties with other animals but it would be absurd to see the specific properties of tigers as the properties of all animals. A sloth is no less an animal than a tiger! It would be even more absurd if, on the false assumption that the distinctive properties of tigers are definitive of animals in general, one were to say that since tigers are found only in the Sunderbans, animals do not exist anywhere else but Sunderbans. Political society in India, and in other developing societies, has certain distinctive features that are not found in the political societies of other countries. But this is no reason to take the specific properties of Indian political society as the general feature of all political societies. And it would surely be absurd to think that political society is found only in developing countries, or that the civil society–political society distinction is applicable only to countries such as India.

Again, it is mistaken to think of the discourse of rights as falling within the purview of civil society and to think of

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political society as entirely outside the discourse and practice of rights. The right of a group to establish and maintain its educational institutions is a civil-society right. So is the right to the freedom of religion. As things stand today in most societies, the right to vote is not a civil-society right, it is a political society right. No democracy can function without this right, just as it cannot function properly without a public space for active citizenry. However, most rights can be exercised in different ways in both civil and political society. Consider for example, the right to free expression. This right can be exercised in both civil and political society. It is a civil-society right when I interpret it as a right to play music in my garden. The exercise of this right does not concern me alone, however. It can affect and even disturb not only my neighbours but the public at large and the state machinery may even regulate it by restricting it beyond a certain time of the day. But there is another very important dimension of this right which inhabits a different space altogether. The right to free expression is also a democratic right, as for instance when I exercise it to express my opinion in the newspaper on water pollution or when in an opinion poll I indicate my political preference. Most political societies in democracies presuppose the existence of such a right. Much the same is true of the rule of law. A proper rule of law covers both civil and political society. Therefore, one cannot assume that the rule of law is part of civil but not of political society. It is of course true that large chunks of political society may remain outside the rule of law but this is equally true of civil society. Violating the law of the land, I can hire day-labourers on a ridiculously low wage. This exploitation of labour is outside the rule of law but happens within the arena of civil society. If so, the rule of law cannot be made the defining feature of civil society. Just so, its absence cannot be seen as the constitutive characteristic of political society. One cannot see civil society as liberal and bourgeois and political society as embodying everything outside the conceptual space of liberal-bourgeois discourse.

This point can be made differently. In hiring a private tutor for her son, a parent need not follow norms applicable to public institutions. She could hire anyone she prefers. A person rejected

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by her can hardly complain of any procedural injustice. Nor need anyone complain if the tutor is offered a salary other than the one fixed in public institutions. Consider that the same teacher is an applicant now for a university post and appears before a selection committee that includes the person who hired her earlier. Her employment now is a public matter governed by public norms and members of the selection committee should not arrive at the decision by imposing their purely private preference. Anyone not chosen for the job may legitimately ask if the criteria of selection has been properly adhered to or if the university has complied with norms fixed by the pay commission. In my way of drawing the distinction between civil and political society, the first example falls within civil society and the second within political society. In short, just as we could have a non-liberal and non-bourgeois civil society, just so we could also have a liberal and bourgeois political society.

What is the verdict of these papers on the relevance of Habermas' theory? These particular contributions in the volume skillfully demonstrate that the modern public sphere in India does not replicate any version of the Western public sphere, certainly not the liberal public sphere articulated in Habermas' theory. But this proves only that Habermas' theory is not equipped to fully illuminate the public domain in India, not that it lacks the capacity to throw light on some features that resemble Western public spheres and which Habermas' theory tries to capture. Suppose, however, that there is nothing in common between the public sphere depicted in Habermas' theory and the public domain in India. Even then its absence from the Indian context shows only the redundancy of 'liberal public sphere' as an analytical and descriptive category. It does not show that this category has no normative relevance. The fact that something *is* not there does not entail that it *should* not be there. To demonstrate its normative irrelevance, one must show not only its undesirability but also that it can never exist, that it is entirely unfeasible. If so why not explore the normative relevance of a theory of liberal public sphere?

Indeed, it is necessary to unearth a hidden premise to fully understand what is at play in claims about the irrelevance of

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Habermas' theory—that if something is not already present, then it can only be installed by coercion, imposed from above by the state and that this imposition neutralises any value that it may possess. Therefore, in the last instance, it has no value. This premise needs to be questioned on at least two counts. First, on facts. I doubt that, along with its opposite, something akin to and resembling the public sphere is not present in Indian society. Critics of the liberal public sphere are quick to catch the absences of the liberal public sphere but are painfully blind to the presence of any of its ingredients. Second, even if it is assumed that nothing resembling a liberal public sphere is found in the social practices of traditional India, it cannot be further assumed that it can develop only by force, behind the backs of the Indian people. Why can it not grow with the help of persuasive techniques that fully accords with the normative requirement of respecting cultural autonomy? Indeed, my own view on the matter is that, because it would build on existing elements, some version of a very broadly conceived liberal public sphere, suitably adapted to the Indian context, can be developed here, not by force but largely by mutual consent and persuasion.

This suggestion concerning the theory of liberal public sphere may run into another related objection. How can we speak of the normative relevance of a theory when even the basic elements of what it is asking us to do are not shared by people meant to follow it? How can we have a theory about critical rationality in a context where no one seems to cares about its norms? Take for example the poor and the illiterate. How can we expect them to express their demands in a rational-critical form, especially when their needs are urgent and unaddressed for generations? We may certainly prevent them from being violent but should we ask them to not demonstrate angrily or pontificate that they will be heard only if they first learn to put forward their demands in a calm, rational-critical form? Now, it can be no one's claim that hollering must stop and that all public expressions of dissent should take a rational-critical form. It is obvious that if the poor and the marginalised have not had the opportunity to develop capacities for rational dialogue or if the media remains inaccessible to them, then they have no option but to demonstrate on the streets angrily.

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Plainly, an angry public demonstration is infinitely preferable to silence and conformity to an exploitative situation. But surely politics is also about the creation of new opportunities and the enlargement of the available range of choices. Agents must have greater choice as well as possess the capacity to morally evaluate these options. A choice between silence and an angry demonstration is restricted and narrow relative to a choice between silence, an angry demonstration and a public discussion. Assuming that each of these three available strategies can bring about the desired result, which of these should be preferred by agents? A normative theory can help answer this question and tell us which of these has greater ethical value and why. Public deliberation is better than violence-prone demonstrations, if and only if agents have a real choice between these two options. It is futile, irresponsible and even unethical to ask people to deliberate when neither the opportunity nor the capacity for deliberation exists. However, it is equally irresponsible not to struggle to transcend this situation and build conditions for a more inclusive public deliberation. This struggle is possible, however, only if people are convinced of the value of a more inclusive public deliberation. The task before a morally sensitive political theory is to show precisely why deliberation and inclusion must be valued. There is a sharp difference between fire-fighting political activism and political theorising. In the face of a restricted choice between silence or violence-prone demonstration, the political activist would choose the latter. If he were looking for justification, his ideology would help him to do this. Faced with the same situation, the political theorist must look beyond the immediate situation and enlarge political imagination by showing how to broaden our options, and to specify what other options with greater moral justification are available. His theory is bound to seem irrelevant or utopian to the fire-fighting activist. But the theorist must not be bogged down by this activism nor adapt theory to suit the immediate situation. Theory cannot morally and unambiguously justify violence. The shadow of its critical intent must fall on the activist too, even when its main target is the restricted situation within which the poor find themselves

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and to attack those responsible for it. Furthermore, built into the theory must be a hope that one day a political visionary would act to transcend these restrictions.

Thus, the responsibility of a moral theorist is quite different from that of an activist. She must keep a distance not only from those who are immediately undermined by his critical theory but also from its immediate beneficiaries. Thus, a moral theory that validates the importance of freedom and equality invariably attacks all forms of privilege and supports all the marginalised and excluded people who have suffered oppression and indignity. However, it cannot simply be a handmaiden to the oppressed and endorse everything they do. It must retain a sense of right and wrong and these standards must be applied to everyone, even the most oppressed.

IV

I come finally to an issue that I have only briefly touched upon in the discussion above but whose importance was implicit and assumed throughout: citizenship. Now, citizenship is as much a matter of rights as it is of identity and belonging. To be a citizen is first and foremost to belong to and be a member of a political community. A person seeking citizenship of a political community hopes to be included in it. Conversely, one who is denied citizenship is excluded from the political community. Though important, some rights and entitlements are less basic than membership in the sense that they flow from it.

An important issue of inequality arises precisely at this point, before rights enter the picture, because citizenship can be based on what Robert Dahl calls the contingent principle of inclusion or on what he calls the categorical principle. The contingent principle is based on the availability of citizenship only to those who are qualified to rule and by extension to possess other rights and entitlements. This qualification may be grounded in merit, property or prior membership in an ethnic, cultural or religious community. The categorical principle is different. Here, to be an adult member in the society is sufficient qualification for full

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citizenship of the state. One is obliged to obey the state only if one is a member of the demos.

The concept of citizenship, once out of fashion among political thinkers, has now re-emerged as a crucial political idea. Interest in citizenship has grown for a number of reasons. First, a worldwide focus on the importance of cultural belonging and community identities has eventually served to highlight both the significance of citizenship and the limitations of how it had been earlier formulated. Once it was realised that community identities could be conceived in ways that threatened citizenship, democratic theorists began to earnestly re-conceptualise it in order to accommodate rather than exclude community identities. In Western countries, a focus on citizenship resulted also from a lack of interest in electoral participation and states of passivity induced by long-term welfare dependency. While these latter issues rekindled interest in the distinction between passive and active citizenship, the former threw up the idea of differentiated citizenship.

The distinction between passive and active citizen, I owe to Michael Walzer.[11] The passive citizen is a recipient of certain benefits from the state, the most important of which is protection, but which include the provision of basic necessities and negative liberties. This view has its origin in imperial Rome, but had become prominent in political theory at the beginning of the modern period and central to the political thought of early liberals. Passive citizenship is entirely compatible with narrow conceptions of civil society. A passive citizen hardly plays a role in the public or the political sphere but receives certain benefits from the state in order to live and act freely (voluntarily) in private spaces protected by the state. Indeed, one may see this private space as a benefit given by the state to the citizen. A community of passive citizens is not a political community, however. The active citizen, on the other hand, takes part in common deliberations on his own good and on the good of all, has an interest in who governs him and why, which policies have

[11] Michael Walzer, *Obligations* (Cambridge, Mass., 1970), pp. 203–25.

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been adopted and why, and is prepared in the last instance to exercise power himself. A community of active citizens is necessarily a political community. Active citizens not only receive certain benefits from the state—these are important—but actively participate in deciding how benefits and burdens, and rights and obligations are to be distributed, how irreducibly collective benefits and burdens are to be shared. A vibrant public sphere cannot exist without active citizens. Alternatively put, the meaning of civil society is changed and is broadened the moment people begin to see themselves as active rather than as passive citizens. A democratic state requires strongly active citizens—at least some citizens must be strongly active. Strongly active citizens do not feel inhibited in actually exercising power. They are different from active citizens who wish to influence power wielders and to keep a check on them but do not themselves exercise power.

To understand the idea of differentiated citizenship, it is best to begin by briefly delineating the idea of equal citizenship rights. Unequal citizenship can arise in several ways. Suppose that members of one community are given legal protection but members of other communities are not. Clearly then passive citizenship entitlements are unequally distributed. Or suppose that passive citizenship entitlements are available to everyone but that only the class of rich persons or members of one particular community can actively participate in the public sphere, say, exercise their right to vote or stand for public office. Here again certain inequalities of citizenship rights emerge. The work of Will Kymlicka and Iris Marion Young has emphasized another form of inequality of citizenship rights. Consider a person who has all the entitlements and active citizenship rights available to every other person but whose mother tongue is different from the official language of the political community, so that the language in which citizens deliberate with one another is not identical to the person's mother tongue.[12]

[12] On this, see Will Kymlika and Wayne Norman (eds), Introduction, *Citizenship in Diverse Society* (Oxford, 2000).

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Suppose further that the structural conditions in society are such that they favour neither the protection of his language nor the broader culture of which this language is an important constituent. This person may now experience marginalisation and discrimination, Despite the formal availability of all rights, this person is effectively excluded from the exercise of active citizenship rights. How can this inequality be repaired? One broad answer provided by these theorists is that such citizens must be granted special rights so that they can also do what others simply by being members of the majority community are able to routinely perform. Since these special rights revolve around the nature of the groups to which these members belong, such rights maybe called group-differentiated citizenship rights. Indeed for Kymlicka citizenship itself is an inherently group-differentiated notion.[13] This is contrary to the assumptions of modern political thought where citizenship necessarily transcends particularity and difference. Citizenship pertains to what is common to all citizens and one of the many things that hold people together is the universal application of laws to everyone in the same way. Modern political thought had assumed a norm of universal rather than differentiated citizenship.

Some of these issues are dealt with directly in the papers by Valerian Rodrigues D.L. Sheth, B.S. Chimni, Gopal Guru and Dagmar Bernstorff. Rodrigues claims that there are two phases of citizenship in the history of independent India, linked in some ways to the distinction between contingent and categorical principles of inclusions mentioned above. The first phase came to be identified with an inclusivist bent wherein citizens 'formed the polity and defined the pursuits and orientations of the polity which, given their associational bonds and liberties, could promote umpteen desirable ends'. Rodrigues understands this inclusivism as incorporating a vision that respected people's choices for or against adopting Indian citizenship. However, over time, this idea of citizenship came to be replaced by a second idea wherein citizenship came to reflect

[13] Will Kymlicka, *Multicultural Citizenship* (Oxford, 1995), p. 124.

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'common national identity' and thereby a certain role expectation was placed on the citizens. Rodrigues argues that while this shift took place over a period of time, its seeds were sown immediately after independence itself. This development came about particularly in the Citizenship Act of 1955, which circumscribed the inclusivist features of citizenship mentioned in the Constitution.

Rodrigues claims that at least a couple of voices were present in the Constituent Assembly that dissented from the mainstream view eventually enshrined in the Constitution. For instance, Ambedkar expressed reservations about granting citizenship rights to those who had earlier migrated to Pakistan but wished to return to India. Similarly, P.S. Deshmukh advocated what can now be called the Hindutva conception of citizenship that privileges Hindu and Sikh identities. Though marginal to begin with, these positions eventually found a voice in post-independent India which led to a hard conception of citizenship as enshrined in the Act of 1955. The provisions of this Act reflected a preference for 'a strongly ethnic conception of citizenship where descent and parentage of Indian origin became a predominant element for consideration.' He also notes that this demarcation and recognition of citizenship on grounds of birth only kept the prevalent social structure in India intact. Thus, a process of privileging a certain conception of national identity was made integral to citizenship.

Rodrigues also examines the question of differential citizenship to different groups. He says that provisions were made for persons belonging to disadvantaged groups like the lower castes. Provisions were also made for groups that differed from the mainstream on account of religion, language and ethnicity, as also those that wanted to retain a certain kind of privilege like the Anglo-Indian community. Finally, to ensure special treatment for certain states, measures were also taken for differential treatment via the federal structure of governance.

Notions of public sphere and citizenship have a deep relationship with the idea of the modern nation. The nation is an imagined community but other large communities such as the Islamic brotherhood or the Christian empire have been

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imagined in the past. What makes the nation distinctive and different from these other communities is that it has a common and active public culture and therefore a metatopical public sphere. The link with citizenship is even more obvious. I said that citizenship is as much about rights as it is about belonging and membership. For most human beings in the modern world, this belonging and membership relates to the nation and the nation-state. An entire volume on public sphere and citizenship without a discussion of nations would, therefore, have been inadequate. D.L. Sheth's paper provides this missing link and discusses it in the Indian context. For Sheth, however, the story of nation-building in India is a process of the straightjacketing by the British colonialists of a multi-ethnic civilisational society into a single territorial state. The postcolonial project of nation-building remains rooted in cultural pluralism but has acquired new foundations in popular sovereignty, political equality and social egalitarianism.

Indeed, Sheth argues that, unlike the West, processes of state formation and nation-building in India were opposed to one another, partly because the two principal agents behind them had contrary objectives. While the British affirmed the territorial authority of the state, the Indian elite questioned it. Similarly, while the Indians asserted their claim to nationhood, the British did their utmost to deny it. At the centre of this contest lay the reconstruction of India's past. British historiography saw India merely as a congeries of communities; Indians accepted this story for sometime but slowly the idea of one people with a common past living in a common territory entered popular self-consciousness. Sheth argues that while Gandhi disagreed with this project of historicising India's nationalism, Nehru saw a fundamental relationship between nation-building and a secular, liberal-democratic state. This state-centered nationalism could be used to check ethno-religious nationalism and illiberal and undemocratic tendencies within it. Despite partition along religious lines, India chose to be a liberal secular state that guaranteed equal citizenship rights to all persons. It also incorporated within it elements of group-differentiated citizenship rights. Sheth also describes how

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this project has been persistently challenged in the North East and Kashmir, and more recently by Hindutva nationalism.

Gopal Guru's paper complicates the picture of inclusion and exclusion. The issue of caste, more specifically, the all important Dalit question is addressed directly by Gopal Guru. Did the new constitutional provisions and changes in the public sphere give dalits a sense of citizenship? Did they take them away from a language of pure obligation to an empowering language of rights? In short, how far has it really affected their social standing, given them a sense of membership as an equal in the new political community? In a detailed, poignant account, Guru shows how, despite their formal and constitutionally sanctioned availability, the dream of equal citizenship rights remains largely unfulfilled for Dalits. They are sidelined and humiliated in both civil society and the political domain. And while they are not always excluded, they remain on the margins of inclusion. For him, the case of the dalit is one of a citizen in permanent exile. Thus, Guru forces us to re-examine the very issue of inclusion: some forms of inclusion may be as problematic and morally questionable as most exclusions. Is something, no matter how meagre, better than nothing, or is having nothing better than having something available in a morally unacceptable form? Guru does not fully answer this deeply troubling question but he gives a vivid experiential picture of this dilemma.

Papers by Chimni and Bernstorff deal with the plight of those who are excluded from citizenship—the refugees, the exiled, in short, the alien. Chimni begins by outlining the 'realist' perspective in international relations that strictly monitors citizenship and lays down rigid norms for who is a citizen. These norms generate aliens, migrants (mostly illegal) and refugees. Chimni frames his argument within the familiar Western framework and analyses the practice of countries that do not abide by their own norms. Extending this theoretical framework to India, Chimni asserts that the country's policy towards aliens and refugees continues to be guided by norms of realist international and political practice and argues that existing laws pertaining to aliens and refugees must be transformed in order to accord them a more 'humanitarian' treatment.

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The four models of citizenship outlined by Chimni are as follows: the patriotic-constitutional model of Habermas, the communitarian model, the intercultural model and, finally, a critical 'radical-patriotic' model. While each of the four models emphasise a certain normative basis for citizenship, none of them focus on the problems of a postcolonial society or the role played by external factors in influencing the choice of the model. The Indian approach, Chimni argues, is guided by three factors: (*a*) the complex synthesis of overlapping conceptualisation of aliens flowing from the anxiety of a postcolonial state amidst a historically 'common space'; (*b*) the attempt to cope with sub-national dissent, and (*c*) the tenets of political realism.

For Chimni, this complex overlapping results in a state of legal equivocation, and in political decisions towards refugees that are morally indefensible. For instance, in the anxiety to create a 'nation', the Indian state refused to name 'refugees' in law. Likewise, the lack of a clear definition has meant that some refugees have been treated better than others. For e.g., Tibetan refugees have got a much better deal than Chakma refugees. Similarly, arbitrary action by the border forces with respect to refugees also goes unnoticed. This state of legal equivocation, for Chimni, is reminiscent of a combination of the Habermasian patriotic model that has generous provisions for refugees and the communitarian model 'which privileges ethical-cultural life forms over constitutional principles'. He feels that this problem can be repaired by formulating a more comprehensive and morally justified set of legal provisions relating to immigrants and refugees. Chimni's article illustrates that there is still some hope in a 'realist' world of intense and complicated powerplay.

The issue of Tibetan refugees is examined in detail in Dagmar Bernstorff's paper. Bernstorff also relates the issue of citizenship with a thick description of an evolving civil society of Tibetans in exile. She shows how they have negotiated the demands to modernise Tibetan society and at the same time preserved Tibetan identity and culture, and how they have developed distinct organisations and built a network of institutions to attend to these pressures.

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This introduction and the papers in this volume have: (*a*) explored four terms that may be central to the self-understandings of Indian society and polity, i.e., civil society, political society, public sphere and the state, and (*b*) conducted an empirical-cum-interpretative inquiry into the presence of these entities in India. Many contributors believe that if they work with mainstream understandings of these terms, then they may reach the conclusion that the entities to which they refer do not exist in India. For example, if civil society refers only to voluntarily chosen associations, then most social life in India might be excluded from it. On the other hand, if civil society is seen primarily as a sphere outside the state, then we may end up including within it every social entity in India and lose the fundamental normative intent behind the concept. It is hard to tell whether we have properly grappled with this dilemma. It is certainly the case that each of us has approached it differently and at least a few have evaded it altogether. Yet, it has been the endeavour of most contributors to try to capture the distinctive features of Indian social and public life and to raise troubling questions about it. It is hard to judge how adequately we have understood the complexity of modern India with the help of these concepts. But we hope that the mistakes we have made on the way and the misunderstandings that have been collectively generated in this effort will help others make better sense of our society and polity than has been achieved in this collection.

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CIVIL SOCIETY, PUBLIC SPHERE AND CITIZENSHIP

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1

Civil Society and Citizenship in Western Democracies: Historical Developments and Recent Challenges

Ute Frevert

What do 'civil society' and 'citizenship' have in common? On a formal level, they are both concepts that are highly valued and pivotally addressed in present political discourse. Throughout the 1990s, they became buzzwords among political theorists and activists alike. This holds true for most parts of the world; starting in Europe and North America, debates soon extended to South America and the Asian countries. Not surprisingly, the number of scholarly works in the field is growing steadily and at a very fast pace.

Why is this so? First of all, it is precisely the political nature of the two concepts that lends to their popularity and ubiquity. A once classical (and largely forgotten) term of political philosophy, civil society made it to the top of academic discourse only after it was reinvented as a political notion. In Europe, this happened in two different contexts. During the last years of state socialism in Central and Eastern Europe, dissident intellectuals discovered the term and used it as a critical weapon against state bureaucracy and control. They attacked the prominence of the state that directed and supervised each and every movement of its citizens. To focus on civil society thus meant to claim a sphere of public debate and action that was not dominated by official political agents and the media. It meant the construction

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of an open space that was neither private nor political in the sense defined by formal political institutions (parties, parliament, national papers and the like). While this may have started out as a theoretical claim, it steadily gained practical importance and eventually turned out to be a crucial factor in the crumbling and dissolution of state socialist rule.

At about the same time, Western countries, too, experienced a rising concern about civil society. In societies whose members had began to think of themselves more and more as shareholders, traditional allegiances and ways of belonging came under serious pressure. While economic developments tended to widen the gulf between the rich and the rest, state-based systems of welfare and social security were being continuously weakened and financially drained. Classical structures of solidarity eroded as membership in trade unions, churches or voluntary associations declined. Politics could obviously not turn the tide; instead, voting participation dropped dramatically as did party affiliation. When Robert Putnam coined the phrase 'bowling alone', he was referring to the gradual erosion of social ties and social trust in a world undergoing deep economic and cultural change.[1] Ultimately, he (and a lot of others) warned that this would lead to a dangerous malfunctioning of modern democracies which depended utterly on active, loyal and responsible citizens. It is in this context that civil society became a political vision that appealed to neoliberals and communitarians alike. Whereas neoliberalism cherished it as a means both to empower the individual and fill the gap left by the withdrawal of the welfare state, communitarianism stressed its capacity to reinstall mutual bonding and reciprocal solidarity between members of a given community.

The nature of this community, though, was seriously questioned. Was it still the classical nation-state that had emerged during the late eighteenth century? Or were national allegiances breaking down and giving way to diverse and mutually exclusive forms of belonging? And what had happened to the ordinary citizen during the course of these developments? Did he or she exist at all? Or had citizenship been fragmented and dissolved into a billion different individual claims and collective

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identities? What kind of citizen did a civil society need? Could it survive with the group consciousness embedded in the recent wave of multiculturalism, or did it demand a more liberal, republican-minded type of person?

Such were the issues raised by recent political debates in virtually each and every European and North American country. For social and political scientists, they linked favourably with a set of more theoretical questions referring to modern democratic theory, public governance and socio-political transformation. But they also challenged historians to posit them in a broader chain of developments. This was supported by the fact that both 'civil society' and 'citizenship' have a long and complex past of their own. They have continuously been formed and reformed during the last two centuries, and this history is amply reflected in their present use. From the very beginning they shared a kind of hybridity as they served both as analytical concepts and as political icons. Talking about civil society always conveyed a sense of the factual and the utopian alike, and the same held true for the notion of citizenship. Quite evidently, this might pose problems for academic examination, and some people strongly argue against their usage as tools of analysis. But what might at first sight appear as a weakness, might eventually turn out to be a benefit. The expectations that made and make people speak of civil society and citizenship lend to their quality as ongoing political projects that have names and faces, bodies and souls. We do not confront anonymous processes and structures; instead, we find individuals and groups striving for or fighting against civility and the status of citizens. Without their hopes and struggles, civil society would not have come about; without their defeats and losses, it would not have given way to political movements and regimes that crushed all efforts to mould citizenship as a primary asset of civic virtue and individual self-perfection.

Against this historical background, it turns out that civil society and citizenship are indeed inextricably connected with one another. They not only share a sense of utopia, they also share a political, social and cultural history. How this history has developed during the last two centuries, is traced in the

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following pages. It would take too long, however, to give a full picture covering the numerous differences in space and time. The focus, therefore, is only on some central features and links that seem to be worthwhile to be introduced to the current debate.

Civil society and citizens: theoretical concepts

According to political theory, 'civil society' is a term that gained importance and prevalence in the writings of modern philosophical and political thinkers from the late seventeenth century onwards. John Locke and Adam Ferguson, David Hume and Adam Smith, Immanuel Kant and Georg Friedrich Hegel, not to forget the *encyclopédistes*, wrote about it and rooted it firmly in their new systems of political, social and economic thought. For them, civil society was not so much a state of development that had already been reached; instead, it marked the outcome of a process of civilisation under way in European societies since the Renaissance and speeded up by the Enlightenment. Civilisation came about through work and industry, commerce and property; civil society thus was envisaged as a social system closely associated with economic improvement and expansion. In addition, civilisation was fostered by education and character formation, by non-violent modes of behaviour, by respectful manners and politeness. A culture of sociability that took place in an atmosphere of mutual respect and recognition was thought to be an integral part of civil society. This culture, it was felt, should be open to everybody, to each and every citizen. Civilisation should not be reduced to the urban upper and middle classes; instead, it should extend to all strata of society and encompass all mankind, regardless of age, gender, class and nationality. It was thus conceived as a highly emancipatory project that would eventually free all men (and, later, women) from constraints and limitations rooted in traditional power structures.

As such, civil society was closely connected with the economic sphere. The expansion of trade and commerce brought people into closer contact and demanded more universal codes

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of behaviour and communication. The rise of manufacture and industry was thought to spread wealth and well-being over a broader social strata and thus enable individuals to take part in social life as free and independent citizens. For all the political philosophers who envisaged the future of mankind as progressive and liberating, personal freedom and independence were at the core of civil society. Not to be a slave, not to be bound to a certain place and way of living, not to depend on others who then decide on your fate, proved to be the crucial aim and prerequisite of the new world already in the making. Apart from legal emancipation, economic achievements laid the foundations for a life of one's own. In addition, they contributed to the well-being of fellow-citizens. Economic interests, it was said, bound people together and allowed them to cooperate for each other's benefit.

Civil society was thus built on top of a free market economy, in which its members were supposed to participate as producers and consumers. But their qualifications as citizens were not restricted to economic achievement, cooperation and consumption. Rather, political philosophy reiterated the complex functions of the traditional marketplace as a sphere of economic exchange, social encounter and political debate. In this sense, civil society was devised as a space where citizens could meet in order to socialise with their fellow-citizens, to exchange ideas and discuss issues of common concern, to form political opinions. It was not a sphere where those opinions translated into political action and decision-making; this was left to the state which, according to Hegel, combines legislative and administrative powers. However, civil society was not in the least apolitical; rather, it preceded and prepared for the political sphere. It knew and practised forms of deliberation and negotiation which might best be called proto-political.

While civil society is not identical with (albeit not totally separated from) political power networks, it shapes a social space that is thoroughly public. Although people tend to meet in groups and associations, the latter are not meant to be secluded spaces. Membership is principally open to everybody who complies with the rules set up by the collective. Debates

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take place in an atmosphere of mutual trust and recognition. Members confront each other as equals; there is no sense of hierarchy between them. This clearly distinguishes the institutions of civil society from family structures. Family members usually meet on an unequal footing. There is a sharp barrier of power and authority between parents and children, and between men and women. Men exert, with legal approval, more power than women; parents are in charge of their offspring. There are other differences worth mentioning: to be born into a family is not a matter of personal choice; the same holds true for the ability to quit. Families bond people for the whole of their lives, even if they decide to establish families of their own. Another difference is set by the public/private distinction. Families are traditionally seen as private institutions where the public—the corporation, the state—should not interfere. Even if there are a lot of legal, economic, social and cultural/religious constraints that frame family relations, married couples and their children share a realm of action and emotion that should be hidden from the public eye.

Interestingly enough, modern philosophers of civil society did much to solidify the alleged privacy of the family. Although it took all their courage and imagination to transcend the economic, social and political limitations of the Ancien Régime, they stopped short of questioning the boundaries of traditional family structures. Instead, they integrated them into their modernist views and drew an even sharper line of division between the family and the rest of society. The private realm of the family became a cornerstone of the social and political order, especially with regard to gender relations. While men were supposed to play a part in all institutions of society, women were, at least theoretically, to stay within the family. They were not eligible for political office, their education was different and less institutionalised, and their capacity to take up paid work was severely curbed. Not suprisingly, they were not accepted as equal members of those associations that mushroomed in the sphere of civil society. If at all, it was only through their husbands or fathers that they were granted admission.

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